

JC03 Rec'd PCT/PTO 1 1 OCT 2004  
US File No.: P/1757-63

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
In re Patent Application of

Vahe S. YACOUBIAN

Serial No.: 10/534,309

Filed: May 9, 2005

For: EPICARDIAL HEARTWIRE, CHEST TUBE WITH EPICARDIAL HEARTWIRE,  
AND METHOD OF USE

Confirmation No.: 1130

Date: October 6, 2005

Group Art Unit: Unassigned

Examiner: Unassigned

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF NONPROVISIONAL APPLICATION**

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application mailed September 6, 2005, submitted herewith is the Inventor Declaration and our Check No. 22143 which includes the amount of \$65.00 for Small Entity in payment of the surcharge.

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account #15-0700.

If this communication is filed after the time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. §1.136(a), to extend the time for filing a response by the number of months which will avoid abandonment under 37 C.F.R. §1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, Alexandria, VA 22313-1450, on October 6, 2005:

James A. Finder  
Name of applicant, assignee or  
Registered Representative

10/14/2005 LLANDGRA 00000053 10534309

01 FC:2617

65.00 BP  
Signature

October 6, 2005  
Date of Signature

JAF:lf

Respectfully submitted,

James A. Finder  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/534,309	Vahe S Yacoubian	P/1757-63

INTERNATIONAL APPLICATION NO.	
PCT/US03/35875	
I.A. FILING DATE	PRIORITY DATE
11/06/2003	11/07/2002

2352  
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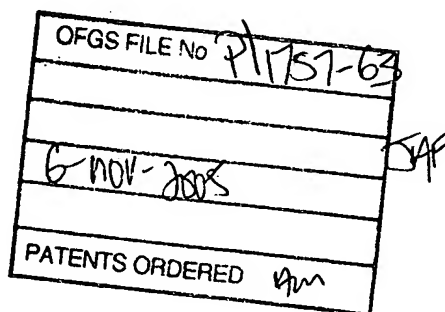
CONFIRMATION NO. 1130  
 371 FORMALITIES LETTER  
 \*OC000000016941253\*  
 \*OC000000016941253\*

Date Mailed: 09/06/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status.
- Copy of the International Application filed on 05/09/2005
- Copy of the International Search Report filed on 05/09/2005
- Copy of IPE Report filed on 05/09/2005
- Preliminary Amendments filed on 05/09/2005
- Information Disclosure Statements filed on 05/09/2005
- Oath or Declaration filed on 05/09/2005
- Small Entity Statement filed on 05/09/2005
- Request for Immediate Examination filed on 05/09/2005
- U.S. Basic National Fees filed on 05/09/2005
- Priority Documents filed on 05/09/2005



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/534,309	PCT/US03/35875	P/1757-63

FORM PCT/DO/EO/905 (371 Formalities Notice)

